

Minutes of the Special Meeting of the

**STATE BOARD OF EDUCATION
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA**

May 17, 2021

The State Board of Education met in special session at 5:34 p.m. on Monday, May 17, 2021, conducted via a virtual platform only. The final agenda was posted at 4:12 p.m. on Friday, May 14, 2021.

The following were present at remote locations:

Mr. Brad Clark, General Counsel, via Zoom videoconference
Ms. Terrie Cheadle, Chief Executive Secretary, via Zoom videoconference

Members of the State Board of Education present at remote locations appearing via teleconference and Zoom videoconference:

State Superintendent Joy Hofmeister, Chairperson of the Board
Mrs. Estela Hernandez, Oklahoma City
Mr. Trent Smith, Yukon
Mrs. Carlisha Williams Bradley, Tulsa
Mr. William "Bill" Flanagan, Claremore
Mr. Brian Bobek, Oklahoma City
Mrs. Jennifer Monies, Oklahoma City

**CALL TO ORDER
AND
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education special meeting to order at 5:34 p.m. Ms. Cheadle called the roll and ascertained there was a quorum.

Superintendent Hofmeister welcomed everyone to the virtual meeting of the State Board of Education and instructed to proceed to Agenda item 2. Legal Services.

LEGAL SERVICES/STATE BOARD OF EDUCATION OFFICE

Enter into a professional services contract with Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C., for the provision of legal services in the following pending litigation, authorizing funds in the amount of 445, 000 subject to subsequent review, consideration and adjustment as deemed necessary:

Oklahoma Public Charter School Association v. Oklahoma State Board of Education,
CV-2017-1330, in the District Court of Oklahoma County;

Elk City School District, et al., v. Oklahoma State Board of Education,
Case No. 119553, in the Supreme Court of the State of Oklahoma; and,

Tulsa Public Schools v. Oklahoma State Board of Education,
CV-21-617, in the District Court of Tulsa County - Approved

Brad Clark, General Counsel presented a recommendation request to authorize retaining Hall, Estill, Hardwick, Gable, Golden & Nelson P.C. for legal services in the lawsuits for \$45,000 as referenced on agenda item 2. The three cases identified are in different forums or venues and each have impending deadlines. Most urgent is the Oklahoma Supreme Court case, filed by Oklahoma School Districts seeking an original jurisdiction proceeding. The State Board deadline to file a full brief response is May 25 and a June 2 hearing date is set. Mr. John O'Connor is the point of contact for the three State Board cases.

Board members asked questions and discussed extensions, deadlines/filings Responsive Pleadings, Entry of Appearance, Reservation of Time, jurisdiction proceedings regarding cases in the Tulsa County District Court, 200 school district-Supreme Court filings, pending hearings; SB229 passage/impact; and scheduling tentative special SB meetings for further lawsuit review and considerations.

Superintendent Hofmeister said the action to consider is to provide legal services with authorizing funds of \$45,000 subject to subsequent review, consideration and adjustment as deemed necessary

Board member Flanagan moved to approve entering the professional services contract, for the particular cases, with a budget allocation of \$45,000. Board member Monies seconded the motion.

Mr. Clark said the approved will be sent an engagement letter to the firm for Mr. O'Connor to serve as lead counsel and contact for the board.

The motion carried with the following votes: Ms. Hernandez; yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

ADJOURNMENT

Board member Flanagan moved to adjourn the meeting at 5:36 p.m. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Hernandez; yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

The next regular meeting of the State Board of Education will be held on Thursday, May 27, 2021, at 9:30 a.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

Joy Hofmeister, Chairperson of the Board

Terrie Cheadle, Chief Executive Secretary